



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

January 31, 1994

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Paul L. DeRoche, Vice President
The Middlesex Corporation
17 Progress Avenue
Chelmsford, MA 01824

RE: Compliance Order No. UST-01-94-001 and Settlement Agreement

Dear Mr. DeRoche:

I am closing out the Compliance Order and Settlement Agreement for Middlesex Corporation that was issued to you during an underground storage tank compliance inspection on October 14, 1993. I appreciate your cooperation during this inspection and in remitting the settlement amount of \$300.00.

The terms for accepting the compliance order also included certifying that the tanks (three at 17 Progress Avenue and two at 11 Progress Avenue) were emptied of all contents, since they were no longer being used, and that arrangements were being made for their removal according to federal, state, and local requirements. I have yet to receive any written documentation regarding the proper closure of these tanks. On December 22, 1993, in a telephone conversation with Andrea Beland of my office, you said that you had pumped out the tanks but had no paperwork to verify this, and that you were planning on removing the tanks yourself.

I contacted Deputy Chief Burke of the Chelmsford Fire Department to inform him of the inspection and of your intention to remove the tanks. Based on my conversation with him, and on federal and state regulations, you are required to do the following:

- 1) Notify the the fire chief of your decision to take the tanks out of service;
- 2) Apply for and receive a permit from the Chelmsford Fire Department before you remove the tanks;
- 3) Follow proper closure procedures, including inerting the tanks and securing all openings (527 CMR 9.00); and
- 4) Perform a site assessment of the excavation zone, which involves measuring for the presence of a release, once the tanks have been removed.

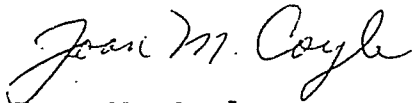
There may be other state and local requirements to follow that the fire chief will inform you of. The Environmental Protection



Agency or the State Fire Marshal's Office of the Department of Public Safety may make future inspections of your facilities to determine your compliance with the underground storage tank regulations. If, during a subsequent inspection, a previously cited violation has not been corrected, or if the facility is not in compliance with the regulations, standard enforcement procedures with higher penalties may be imposed.

I am enclosing a copy of the Settlement Agreement signed by the Deputy Director of the Waste Management Division, representing final approval by EPA. If you have any questions concerning this matter, please call me at 617-573-9667.

Sincerely,



Joan M. Coyle
Environmental Scientist

Enclosure

cc: Deputy Chief Burke, Chelmsford Fire Department
State Fire Marshal's Office, DPS